

EXHIBIT 10

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO.: 00-3030 CA 11

GAIL ROUTH,

Plaintiff,

v.

PHILIP MORRIS INCORPORATED,
R.J. REYNOLDS TOBACCO COMPANY,
LORILLARD TOBACCO CO., and
BROWN & WILLIAMSON TOBACCO
CORP., Individually and as Successor to THE
AMERICAN TOBACCO COMPANY,

Defendants.

VERDICT

WE, the jury, return the following verdict:

1. Lung Cancer

(a) Can exposure to secondhand smoke cause Lung Cancer?

YES ☒ NO ☐

If your answer is "NO," then proceed to question 2. If your answer is "YES," then proceed to the next sub-part.

(b) Do you find that Plaintiff Gail Routh's exposure to secondhand smoke on board aircraft was a legal cause of her Lung Cancer?

YES ☐ NO ☒

Please answer question 2 (next page).

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2. Chronic Bronchitis

(a) Do you find that Gail Routh has Chronic Bronchitis?

YES _____ NO ☒

If your answer is "NO," then proceed to question 3. If your answer is "YES," then proceed to the next sub-part.

(b) Can exposure to secondhand smoke cause Chronic Bronchitis?

YES _____ NO _____

If your answer is "NO," then proceed to question 3. If your answer is "YES," then proceed to the next sub-part.

(c) Do you find that Plaintiff Gail Routh's exposure to secondhand smoke on board aircraft was a legal cause of her Chronic Bronchitis?

YES _____ NO _____

Please answer question 3.

3. Chronic Sinusitis

(a) Do you find that Gail Routh has Chronic Sinusitis?

YES _____ NO ☒

If your answer is "NO," then proceed to the instructions at the bottom of the page. If your answer is "YES," then proceed to the next sub-part.

(b) Can exposure to secondhand smoke cause Chronic Sinusitis?

YES _____ NO _____

If your answer is "NO," then proceed to the instructions at the bottom of the page. If your answer is "YES," then proceed to the next sub-part.

(c) Do you find that Plaintiff Gail Routh's exposure to secondhand smoke on board aircraft was a legal cause of her Chronic Sinusitis?

YES _____ NO _____

If your answer to question 1(a) or 1(b) is "NO," 2(a) or 2(b) or 2(c) is "NO," and 3(a) or 3(b) or 3(c) is "NO," your verdict is for the Defendants, and you should not proceed further, except to date and sign this verdict form and return it to the courtroom. If your answer is "YES" to either questions 1(b), 2(c), and/or 3(c), please answer Question 4 (next page).

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By answering the following questions you will determine the damages, if any, that Plaintiff Gail Routh, sustained as a result of the conditions in question.

4. What is the amount of damages, if any, sustained by Gail Routh for medical expenses:

A. In the past \$ _____

What is the amount of damages, if any, for pain and suffering, disability, disfigurement, mental anguish, inconvenience or loss of capacity for enjoyment of life?

B. In the past \$ _____

C. In the future \$ _____

What is the amount of damages, if any, for lost earnings or earning ability?

D. In the past \$ _____

E. In the future \$ _____

TOTAL DAMAGES \$ _____
(Add lines 4A, B, C, D, and E)

SO SAY WE ALL THIS 14 day of OCTOBER, 2003.

FOREPERSON

Matthew B.

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People

Routh v. Philip Morris Inc

Organizations

(ETS (Broin II) FL 11th Cir. Ct. 2000 Industry Verdict) *Related Cases: Broin v. PM*

Operations

Case

This individual second-hand smoke personal injury suit was brought by Gail Routh subsequent to the judgment in Broin against Philip Morris, R.J. Reynolds, Lorillard, and Brown & Williamson on February 2, 2000.

Additives

Hypothesis

The plaintiff alleged that her lung cancer, chronic sinusitis and chronic bronchitis were caused by the second-hand smoke she was exposed to during her career as a flight attendant. She was diagnosed with lung cancer in 1999.

Demographics

Design Components

The case was heard in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County Florida, General Jurisdiction Division (Case No. 00-3030 CA 11) before the Honorable Herbert Stettin. Following a mistrial on September 15, 2003, the jury returned a verdict in favor of the defense on October 14, 2003. No appeals were sought.

Smoke Constituents

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